IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 1450 OF 1984

GARWARE PAINTS LTD., & ANR. .. Plaintiffs

vs.

TRANSPORT CORPORATION OF

INDIA LTD., .. Defendants.

D.B. Parab i/by Gordhandas & Fozdar

for the plaintiffs.

Mr. O.S. Kutty i/by H. Mehta & Co. for defendants.

CORAM : S.U. KAMDAR, J.

DATE : 10th August, 2005.

P.C.

. The matter was on Board on 26.7.2005 when none appeared and the matter was therefore, kept for dismissal on 2.8.2005. Again on 2.8.2005 none appeared and the matter was adjourned to 8.8.2005 when the learned counsel for the plaintiffs applied for time to file affidavit of evidence and accordingly the matter was adjourned to 10.8.2005. Today, the learned advocate once again applies for adjournment and says that he is not ready with the matter. I gave him option to proceed with the

matter. However he was not willing to argue the matter. In the aforesaid circumstances, I am left with no alternative but to dismiss the suit for non-prosecution. The Suit is accordingly dismissed for non-prosecution.